

Notice of Allowability

Application No.

09/668,974

Examiner

Tom Y Lu

Applicant(s)

HELMAN, DANIEL RICHARD

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 6/21/2004.
2. ☒ The allowed claim(s) is/are 1-20 and 28-30.
3. ☒ The drawings filed on 25 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

Response to Amendment

1. The amendment and written response filed on June 21, 2004 has been entered.
2. Claims 1, 2, 3, 6, 7, 18, 22 and 30 have been amended.
3. Claims 1-30 are pending.

Response to Arguments

4. Applicant's arguments, see Remarks, page 8-9, filed on June 21, 2004, with respect to Claim 1 have been fully considered and are persuasive. The rejection of Claim 1 has been withdrawn.

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
6. Authorization for this examiner's amendment was given in a telephone interview with Robert Crawford, Reg. No. 32,122 on September 17, 2004.
7. The application has been amended as follows:
Cancel claims 21-27.

Allowable Subject Matter

8. Claims 1-20 and 28-30 are allowed.

The following is an examiner's statement of reasons for allowance:

- a. Independent Claims 1 and 20 define steps of encoding with one or more quantization levels in a second range of quantization levels in another frame that follows the previous frame, blocks that correspond to blocks bypassed for encoding in previous frame; and by passing encoding of blocks of the other frame that correspond to the selected block of the previous frame. These feature steps in combination with other steps in claims 1 and 20, which are the broadest allowable claims, are not taught or suggested by the art of record.
- b. Claims 2-5 are dependent upon Claim 1.
- c. Independent Claim 2 defines steps of encoding with levels from a second range of quantization levels in a frame that follows the previous sequence of frames, blocks that correspond to the second subset of blocks; and bypassing encoding of blocks of the frame that follows the previous sequence of frames that do not correspond to the second subset of blocks. These feature steps in combination with other steps in Claim 6, which is the broadest allowable claim, are not taught or suggested by the art of record.
- d. Claims 7-15 are dependent upon Claim 6.
- e. Independent Claim 16 defines steps of encoding at a second range of quality levels in a frame that follows the sequence of frames, blocks that correspond to the second subset of blocks; and bypassing encoding of blocks of the frames that follows the sequence of frames that do not correspond to the second subset of blocks. These features steps in combination with other steps in Claim 16, which is the broadest allowable claim, are not taught or suggested by the art of record.

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- f. Claims 17-19 are dependent upon Claim 16.
- g. Independent Claim 28 defines steps of encoding with one or more quantization levels in a second range of quantization levels in another segment having image data that temporally follows image data of the previous segment, portions that correspond to bypassed portions of the previous segment; and bypassing encoding of portions of the other segment that correspond to portions encoded in the previous segment. These feature steps in combination with other steps in Claim 28, which is the broadest allowable claim, are not taught or suggested by the art of record.

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Owada et al, U.S. Patent No. 5,040,060, see abstract and figures 7 and 9.
- b. Mita et al, U.S. Patent No. 5,543,844, see column 10.
- c. Reitmeier et al, U.S. Patent No. 6,084,912, see figure 2.
- d. Rosenberg, U.S. Patent No. 6,088,392, see figure 1.

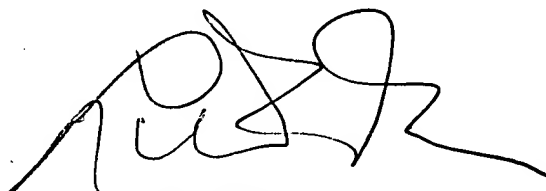
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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y Lu whose telephone number is (703) 306-4057. The examiner can normally be reached on 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tom Y. Lu

A handwritten signature in black ink, appearing to read 'LEO BOUDREAU', with a stylized, flowing script.

LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600